Attorney Docket No. B45145

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Bakaletz, et al.	30 April 2001
Serial No.:	09/719,379	Group Art Unit No.: Unknown
Filed:	December 11, 2000	Examiner: Not Yet Assigned
For:	VACCINE	

Assistant Commissioner of Patents
Washington, D.C. 20231

COMMUNICATION

In response to the Office Action of April 10, 2001, Applicants respectfully request consideration of this Communication.

Sequence Listing

The Examiner has objected to the sequence listing we provided for two reasons:

1. SEQ ID NO: 6 has an Xaa codon within it. The DO/EO/US requested that Applicants explain the location of the unknown codon and which residue it represents. Applicants respectfully submit that SEQ ID NO: 6 is from a prior art publication (EP 680765) by American Cyanamid describing the P5 OMP. SEQ ID NO: 1 in the published specification shows the sequence of the protein including the LB1(f) type peptide which is SEQ ID NO: 6. Applicants do not claim this sequence. There is no explanation in the published text what the Xaa residue might be.

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2. The DO/EO/US requested the source of genetic material for SEQ ID NO: 73. Applicants respectfully submit that Figure 1 of the specification shows that SEQ ID NO: 73 is the polylinker region of the expression plasmid used for introducing the genes of the invention. This polylinker region is artificial, and cannot be said to be derived from any organism.

Respectfully submitted,

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/719379		BAKALETZ L	B45145

INTERNATIONAL APPLICATION NO.
PCT/US99/11980

I.A. FILING DATE	PRIORITY DATE
28 MAY 99	11 JUN 98

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DATE MAILED: 10 APR 2001

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- [x] The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- [ ] This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- [ ] A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- [x] A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- [x] The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- [ ] The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- [ ] Other: _____

APPLICANT MUST PROVIDE:

- [x] An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- [ ] An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- [ ] A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CALL:

(703) 308-4216, for Rules interpretation,
(703) 308-4212, for CRF submission help,
(703) 287-0200, for PatentIn software help.

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FORM PCT/DO/EO/920 (March 2001)